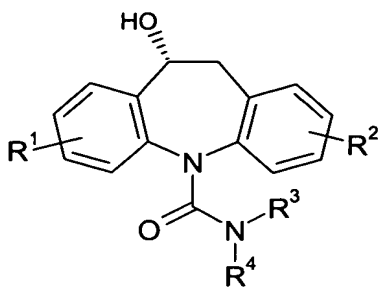
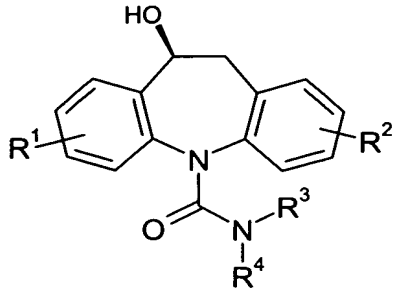
AMENDMENTS TO THE CLAIMS

Claim 1. (original) A process for the production of a compound of formula Ia or Ib

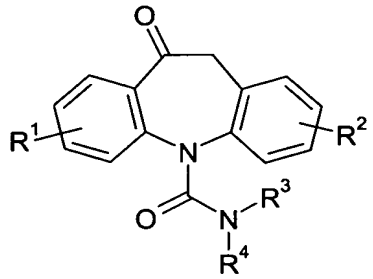

(Ia),

(Ib)

wherein

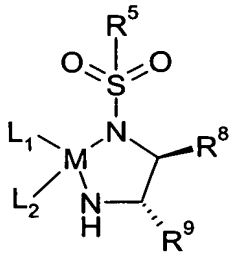
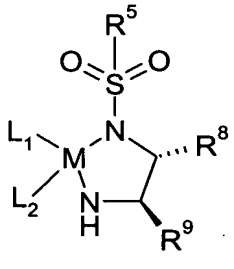
each of R^1 and R^2, independently, are hydrogen, halogen, amino or nitro; and

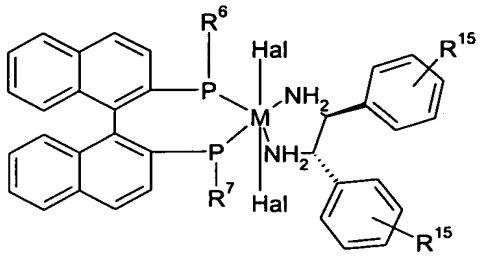
each of R^3 and R^4, independently, are hydrogen or C_1-C_6alkyl;

which process comprises the step of reducing a compound of formula II

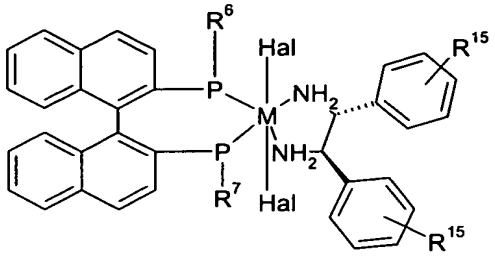

(II)

wherein R^1, R^2, R^3 and R^4 are as defined for a compound of formula Ia or Ib; in the presence of a hydrogen donor and a reducing agent selected from the group consisting of the compounds of formula (IIIa), (IIIb), (IVa), (IVb), (Va), (Vb), (VIa) or (VIb)

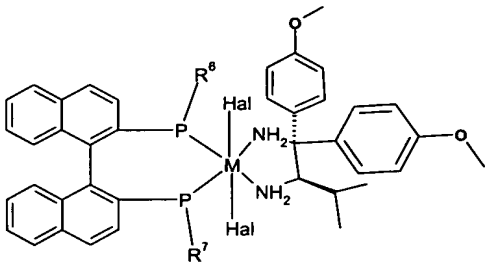

(IIIa),

(IIIb),



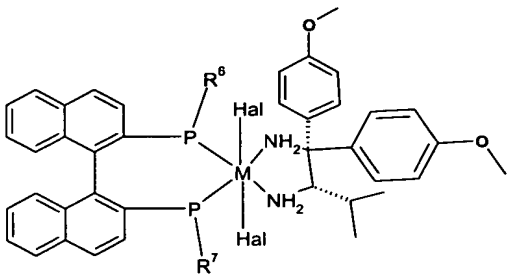
(IVa),



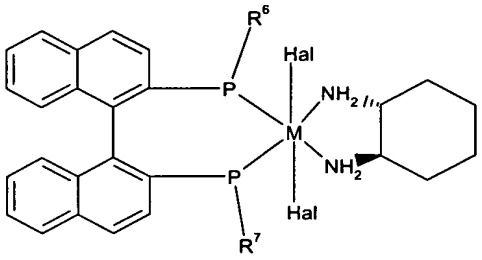
(IVb),



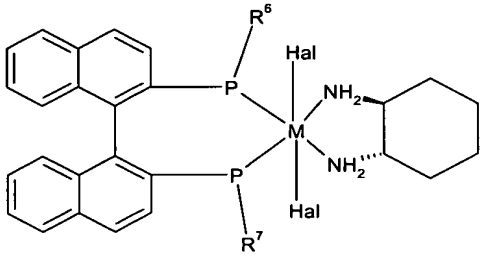
(Va),



(Vb),



(VIa),



(VIb)

wherein

M is Ru, Rh, Ir, Fe, Co or Ni;

L_1 is hydrogen;

L_2 represents an aryl or aryl-aliphatic residue;

Hal is halogen;

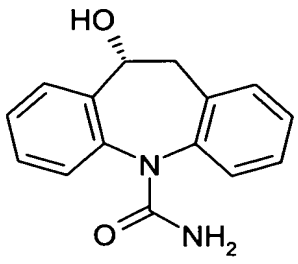
R^5 is an aliphatic, cycloaliphatic, cycloaliphatic-aliphatic, aryl or aryl-aliphatic residue, which, in each case, may be linked to a polymer;

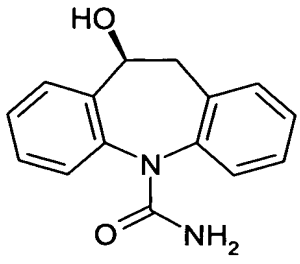
each of R^6 and R^7, independently, is an aliphatic, cycloaliphatic, cycloaliphatic-aliphatic, aryl or aryl-aliphatic residue;

each of R^8 and R^9 is phenyl or R^8 and R^9 form together with the carbon atom to which they are attached a cyclohexyen or cyclopenten ring; and

R^{17} is H, alkyl, halogen, amino, dialkylamino, nitro or C_1-C_6alkoxy.

Claim 2. (original) The process according to claim 1 for the production of a compound of formula I'a or I'b



(I'a),


(I'b)

Claim 3. (original) The process according to claim 1 wherein the transfer hydrogenation step takes place in a water containing solvent system.

Claim 4. (original) The process according to claim 3 wherein the transfer hydrogenation step takes place in the absence of an inert gas.

Claim 5. (original) A compound of formula III'a and III'b

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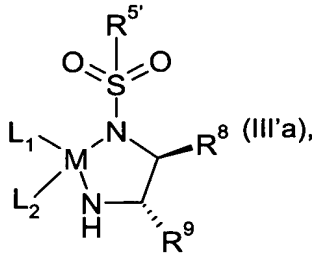
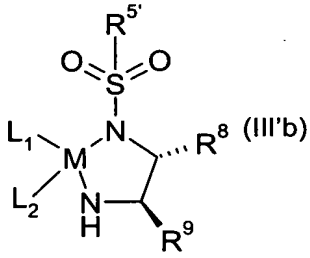


(III'a),


(III'b)

wherein

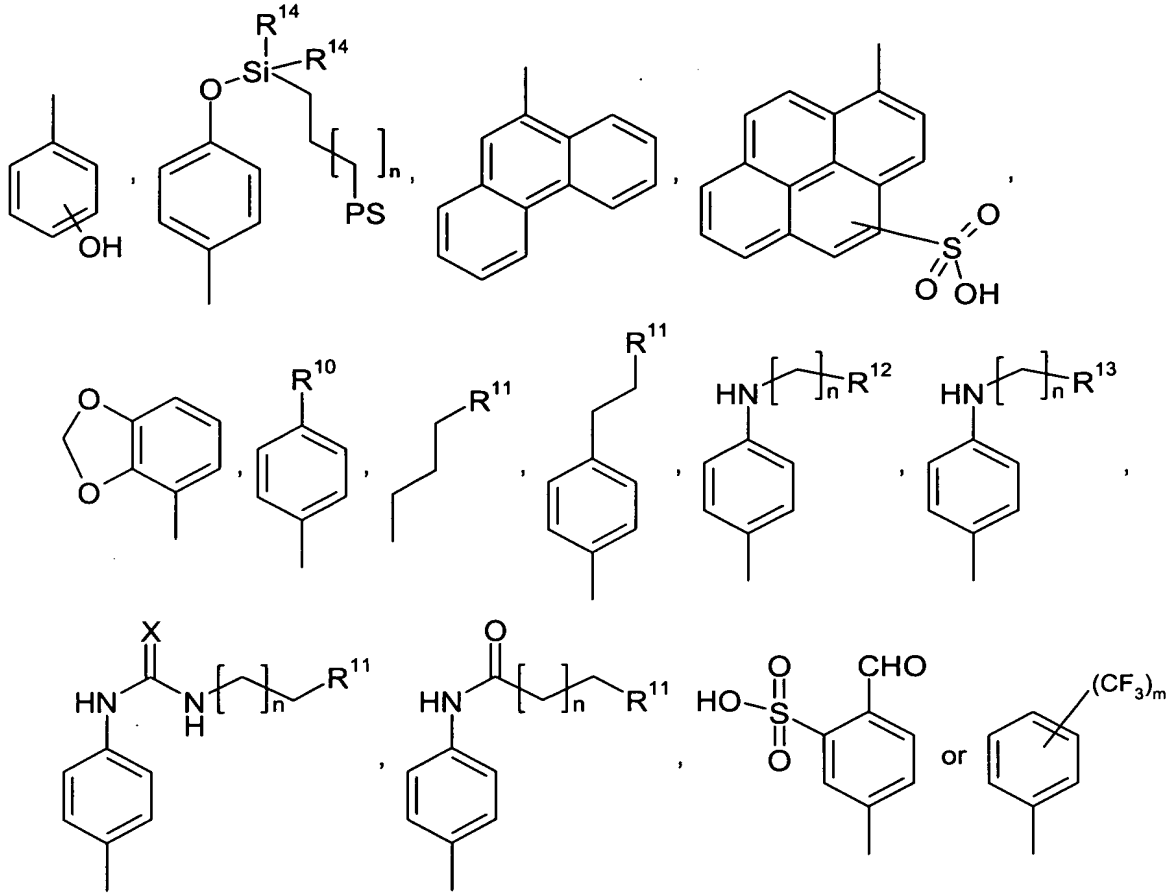
M is Ru, Rh, Ir, Fe, Co or Ni;

L_1 is hydrogen;

L_2 represents an aryl or aryl-aliphatic residue;

each of R^8 and R^9 is phenyl or R^8 and R^9 form together with the carbon atom to which they are attached a cyclohexyen or cyclopenten ring; and

$R^{5'}$ is a group of formula



wherein

n is 0, 1, 2, 3, 4, 5, 6 or 7;

X is O or S;

R^{10} is polystyrol;

R^{11} is silica gel;

R^{12} is cross-linked polystyrol;

R^{13} is polyethylene-glycol;

R^{14} is C_1-C_6alkyl; and

m is 1, 2 or 3;

or a salt thereof.

Claim 6. (currently amended) A crystal form of (R)-10,11-dihydro-10-hydroxy-5H-dibenz[b,f]azepine-5 carboxamide having the reference modification A, which is characterised by a powder X-ray diffraction diagram with d-spacings at 12.6, 8.8, 7.5, ~~6,28~~6.28, 5.24, 4.93, 3.84, 3.74, 3.42 Å.

Claim 7. (original) A crystal form of (R)-10,11-dihydro-10-hydroxy-5H-dibenz[b,f]azepine-5

carboxamide having the reference modification B, which is characterised by a powder X-ray diffraction diagram with d-spacings at 8.9, 7.8, 6.8, 6.3, 5.59, 4.13, 3.90, 3.69, 3.29, 2.60 Å.

Claim 8. (currently amended) A crystal form of (S)-10,11-dihydro-10-hydroxy-5H-dibenz[b,f]azepine-5 carboxamide having the reference modification A, which is characterised by a powder X-ray diffraction diagram with d-spacings at 12.6, 8.8, 7.5, ~~6,28~~6.28, 5.24, 4.93, 3.84, 3.74, 3.42 Å.

Claim 9. (original) A crystal form of (S)-10,11-dihydro-10-hydroxy-5H-dibenz[b,f]azepine-5 carboxamide having the reference modification B, which is characterised by a powder X-ray diffraction diagram with d-spacings at 8.9, 7.8, 6.8, 6.3, 5.59, 4.13, 3.90, 3.69, 3.29, 2.60 Å.

Claim10. (original) An anhydrous crystal form of (R)- or (S)-10,11-dihydro-10-hydroxy-5H dibenz[b,f]azepine-5-carboxamide, which is characterised by a melting enthalpy of between 122 J/g and 136 J/g.

Claim 11. (currently amended) The crystal form of (R)-10,11-dihydro-10-hydroxy-5H dibenz[b,f]azepine-5 carboxamide having the reference modification B ~~according to claim 7,~~ which is characterised by a powder X-ray diffraction diagram with d-spacings at 8.9, 7.8, 6.8, 6.3, 5.59, 4.13, 3.90, 3.69, 3.29, 2.60 Å and comprising less than 5 % of reference modification A, which is characterised by a powder X-ray diffraction diagram with d-spacings at 12.6, 8.8, 7.5, 6.28, 5.24, 4.93, 3.84, 3.74, 3.42 Å.

Claim 12. (currently amended) The crystal form of (S)-10,11-dihydro-10-hydroxy-5H-dibenz[b,f]azepine-5 carboxamide having the reference modification B ~~according to claim 9,~~ which is characterised by a powder X-ray diffraction diagram with d-spacings at 8.9, 7.8, 6.8, 6.3, 5.59, 4.13, 3.90, 3.69, 3.29, 2.60 Å and comprising less than 5 % of reference modification A, which is characterised by a powder X-ray diffraction diagram with d-spacings at 12.6, 8.8, 7.5, 6.28, 5.24, 4.93, 3.84, 3.74, 3.42 Å.

Claim 13. (original) A crystal modification of (S)-10,11-dihydro-10-hydroxy-5H dibenz[b,f]azepine-5-carboxamide having a melting point between 193.0 and 197.0 °C.

Claim 14. (currently amended) A pharmaceutical composition which comprises a crystal form according to ~~at least one of~~ claim~~s~~ 6 ~~to 13~~ together with a pharmaceutically acceptable carrier.

Claim 15. (currently amended) Method of treating a warm-blooded animal suffering from epilepsy by administering a dosage of 10,11-dihydro-10-hydroxy-5H-dibenz[b,f]azepine-5-

carboxamide according to ~~at least one of~~ claim~~s~~ 6 ~~to 13~~ which is effective for treating said disease to a warm blooded animal requiring such treatment.

Claim 16. (canceled)

Claim 17. (canceled)

Claim 18. (currently amended) A process for the preparation of (R)- or (S)-10,11-dihydro-10-hydroxy-5H-dibenz[b,f]azepine-5-carboxamide having ~~crystal form~~ reference modification B which is characterised by a powder X-ray diffraction diagram with d-spacings at 8.9, 7.8, 6.8, 6.3, 5.59, 4.13, 3.90, 3.69, 3.29, 2.60 Å, comprising the following steps, ~~wherein~~
(a) (R)- or (S)-10,11-dihydro-10-hydroxy-5H-dibenz[b,f]azepine-5-carboxamide are prepared according to a process ~~according to any one of~~ claim~~s~~ ~~2 to 4~~ 1 ~~for the enantioselective production of a compound of formula I'a or I'b~~, and
(b) the obtained product having ~~crystal~~ reference modification A which is characterised by a powder X-ray diffraction diagram with d-spacings at 12.6, 8.8, 7.5, 6.28, 5.24, 4.93, 3.84, 3.74, 3.42 Å or being in an ~~from~~ amorphous form, is subjected to phase equilibration in a suitable solvent.

Claim 19. (currently amended) A process for the preparation of (R)- or (S)-10,11-dihydro-10-hydroxy-5H-dibenz[b,f]azepine-5-carboxamide having ~~crystal form~~ reference modification B which is characterised by a powder X-ray diffraction diagram with d-spacings at 8.9, 7.8, 6.8, 6.3, 5.59, 4.13, 3.90, 3.69, 3.29, 2.60 Å, comprising the following steps, ~~wherein~~
(a) (R)- or (S)-10,11-dihydro-10-hydroxy-5H-dibenz[b,f]azepine-5-carboxamide are prepared according to a process ~~according to any one of~~ claim~~s~~ ~~2 to 4~~ 1 ~~for the enantioselective production of a compound of formula I'a or I'b~~, and
(b) the obtained product having ~~crystal~~ reference modification A which is characterised by a powder X-ray diffraction diagram with d-spacings at 12.6, 8.8, 7.5, 6.28, 5.24, 4.93, 3.84, 3.74, 3.42 Å or being in an ~~from~~ amorphous form, is dissolved in a suitable solvent and a crystal of (R)- or (S)-10,11-dihydro-10-hydroxy-5H-dibenz[b,f]azepine-5-carboxamide, respectively, having ~~crystal~~ reference modification B is added.

Claim 20. (currently amended) A process for the preparation of (R)- or (S)-10,11-dihydro-10-hydroxy-5H-dibenz[b,f]azepine-5-carboxamide having ~~crystal form~~ reference modification B which is characterised by a powder X-ray diffraction diagram with d-spacings at 8.9, 7.8, 6.8, 6.3, 5.59, 4.13, 3.90, 3.69, 3.29, 2.60 Å, wherein (R)- or (S)-10,11-dihydro-10-hydroxy-5H-dibenz[b,f]azepine-5-carboxamide having ~~crystal~~ reference modification A which is characterised by a powder X-ray diffraction diagram with d-spacings at 12.6, 8.8, 7.5, 6.28, 5.24, 4.93, 3.84,

3.74, 3.42 Å or being in an ~~from~~ amorphous form, is subjected to phase equilibration in a suitable solvent.

Claim 21. (currently amended) A process for the preparation of (R)- or (S)-10,11-dihydro-10-hydroxy-5H dibenz[b,f]azepine-5-carboxamide having ~~crystal form~~ reference modification B which is characterised by a powder X-ray diffraction diagram with d-spacings at 8.9, 7.8, 6.8, 6.3, 5.59, 4.13, 3.90, 3.69, 3.29, 2.60 Å, wherein (R)- or (S)-10,11-dihydro-10-hydroxy-5H-dibenz[b,f]azepine-5-carboxamide having ~~crystal~~ reference modification A which is characterised by a powder X-ray diffraction diagram with d-spacings at 12.6, 8.8, 7.5, 6.28, 5.24, 4.93, 3.84, 3.74, 3.42 Å or being in an ~~from~~ amorphous form, is dissolved in a suitable solvent and a crystal of (R)- or (S)-10,11-dihydro-10-hydroxy-5H-dibenz[b,f]azepine-5-carboxamide, respectively, having ~~crystal~~ reference modification B is added.